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TO

Amend the Police Acts, 1839 to 1909, and to make more
secure provision for incapacitated constables, and for the
widows, children, and other dependents of constables.

A.D. 1913.

BE it enacted by the King's most Excellent Majesty, by and
with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
and by the authority of the same, as follows:—

- 5 1. In England and Wales the chief officer of a county police force may at any time suspend, and the county police authority may at any time dismiss, any constable who is negligent or remiss in the discharge of his duty, or otherwise unfit for the same. Powers of county police authority as to dismissal of constables.
- 10 2.—(1) Whenever after any period of service in a police force to which the Police Act, 1890, applies, a constable shall have retired, or resigned, or shall have been transferred, or discharged, otherwise than for misconduct, a certificate shall be delivered to him, setting forth the period of his service certified
- 15 under the order of the police authority, pursuant to section four of the said Act, to have been diligent and faithful service. Certificate of approved service and sanction for transfer.
53 & 54 Vict. c. 43, s. 4.
- (2) Whenever a constable of any such force shall remove to another police force such certificate of service shall be prima
- 20 facie evidence of written sanction for removal within the meaning of the fourth and fifteenth sections of the Police Act, 1890. 53 & 54 Vict. c. 43, ss. 4, 15.
3. The power of the police authority under section twenty-one of the Police Act, 1890, and section twenty-three of the Police (Scotland) Act, 1890, shall be extended, in the case of a
- 25 constable who has died while in a police force, to authorise
[Bill 116] Return of pension contributions.
53 & 54 Vict. c. 45, s. 21.
c. 67, s. 23.

13 & 14 Vict.

payment to any person who was dependent upon him or whom he was legally liable to maintain, and to authorise a contribution towards the payment of his debts and funeral expenses, and shall in every case be exercised so that at least the actual surrender value of the rateable deductions, calculated as insurance & premiums, shall not be withheld.

Allowances to incapacitated constables and to widows and children.

4.—(1) The claim of an incapacitated constable under paragraph (c) of section one of the Police Act, 1890, and of the Police (Scotland) Act, 1890, if the incapacity is not caused by his own default, and the claims of a widow and children of a deceased constable under subsections (2), (3), and (4) of section two of the said Acts severally, shall be claims as of right. The said paragraph and subsections shall be read as if the word "shall" was substituted for the words "may if they think fit" wherever they occur; and paragraphs (3) and (7) of the First Schedule to the Police Act, 1890, and paragraphs (2) and (6) of the First Schedule to the Police (Scotland) Act, 1890, shall be read as if the words "shall not be less than" were substituted for "shall not exceed" and "shall not exceed in the whole" wherever they occur. The word "allowance" or "allowances" shall be substituted for the word "gratuity" or "gratuities" wherever they occur in the said enactments by this Act amended.

33 & 34 Vict.
c. 43, s. 1 (e),
s. 2 (2), (3),
(4), sched. 1
(d), (7),
c. 67, s. 1 (e),
s. 2 (2), (3),
(4), sched. 1
(2), (6).
33 & 34 Vict.
c. 43,
sched. 1 (8),
c. 67,
sched. 1 (6).

(2) In paragraph (6) of the First Schedule of the Police (Scotland) Act, 1890, the words "or where a constable dies within twelve months after the grant of a pension" are hereby repealed; and to the said paragraph shall be added, and for paragraph (8) of the First Schedule of the Police Act, 1890, shall be substituted the following words: "The allowance granted to the widow and children of a constable who dies after the grant of a pension shall not be less than the difference between the amount of one month's pay for every completed year of the deceased constable's approved service at the date of the grant of his pension and the amount he has actually received in respect of his pension."

(3) In the case of a constable dying while in a police force to which either of the Acts aforesaid applies, or dying within twelve months of his retirement on pension from such force, and not leaving widow or children any allowance or gratuity which under the said Acts as amended by this Act might have been granted to them may be granted to any person dependent on him or whom he was legally liable to maintain.

(4) The right of a police authority, under subsection (2) of section fifteen of the Police Act, 1890, and of the Police (Scotland) Act, 1890, to call upon the police authority of another force to contribute a part of the pension of any such constable as therein mentioned, proportionate to his service in such force, shall be applicable also in respect of any pension, allowance, or gratuity awarded to the widow and children or to any dependent of any such constable.

5. The enactments mentioned in the schedule to this Act are hereby repealed.

6. This Act may be cited as the Police Act, 1913, and may be cited with the Police Acts, 1839 to 1909, as the Police Acts, 1839 to 1913, and so far as it amends the Police (Scotland) Act, 1890, may be cited with the Police (Scotland) Acts, 1857 to 1909, as the Police (Scotland) Acts, 1857 to 1913.

SCHEDULE.

ENACTMENTS REPEALED.

	Section and Chapter.	Short Title.	Extent of Repeal.
20	3 & 4 Vict. c. 88. s. 15.	The County Police Act, 1840.	The words "and at his pleasure may dismiss all or any of them." The words "by the chief constable" where they occur for the second time. From "consent of the chief constable" to the end of the section.
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Police Acts
(Amendment).

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To amend the Police Acts, 1839 to 1909, and to make more secure provision for incapacitated constables, and for the widows, children, and other dependents of constables.

Presented by Mr. Wilson,

supported by

Sir Charles Selous,

Sir James Fortescue Flaxley,

Sir William Peadar Kirby, Mr. Arthur Henderson,

Mr. Dickinson, and Sir Robert Price.

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